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PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s)	Kay et al.	Examiner:	Dwayne C. Jones
Serial No.:	09/650,055	Group Art Unit:	1614
Confirmation No.:	8753	Docket:	1040-5
Filed:	August 29, 2000	Dated:	May 21, 2004
For:	COMPOSITION AND METHOD FOR TREATMENT OF CONDITIONS HAVING AN INFLAMMATORY COMPONENT		

Mail Stop: Issue Fee  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
Office of Patent Publication/Publishing  
Division

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on May 21, 2004*

Signed: Melinda O'Kerry

**RESPONSE TO NOTICE OF DRAWING INCONSISTENCY  
WITH SPECIFICATION**

Sir:

This paper is being filed in response to the Notice of Drawing Inconsistency with Specification mailed on April 23, 2004. A copy of the Notice is enclosed.

The Notice indicates that there is an inconsistency because Figures 6 and 7 are contained in the Drawings but not listed in the Brief Description of the Drawings in the specification.

Figures 6 and 7 were deleted by an Amendment filed on June 13, 2003. A copy of that Amendment is enclosed herewith, along with a copy of the postcard confirming receipt by the PTO of the Amendment on June 16, 2003.

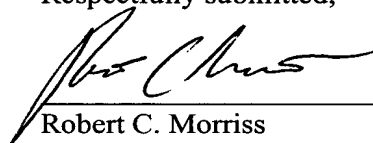
Applicant: Kay et al.  
Application Serial No.: 09/650,055  
Filing Date: August 29, 2000  
Docket No.: 1040-5  
Page 2

As Figures 6 and 7 have been deleted, it is respectfully submitted that there is no inconsistency between the figures and the specification.

Please ensure that the June 13, 2003 Amendment is part of the record for the referenced application.

If resolution of any remaining issue is required prior to issuing the patent, it is respectfully requested that the Examiner contact Applicants' undersigned attorney at the telephone number provided below.

Respectfully submitted,



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Robert C. Morriss  
Registration No.: 42,910  
Attorney for Applicant(s)

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Syosset, New York 11791  
(516) 822-3550  
RCM:mak

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09/650,055

## UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND  
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

### NOTICE OF DRAWING INCONSISTENCY WITH SPECIFICATION

The drawings filed 8/29/00 have been received. However, an inconsistency exists between the drawings and the Brief Description of the Drawings in the specification.

Figures \_\_\_\_\_ are listed in the Brief Description of the Drawings in the specification but not contained in the Drawings.

Figures 6 & 7 are contained in the Drawings but not listed in the Brief Description of the Drawings in the specification.

Applicant is required to correct the above-noted inconsistency within a time period of **ONE MONTH or THIRTY (30) DAYS, whichever is longer**, from the mailing date of this Notice, or within the time remaining in the time period set forth in the Notice of Allowability (Form PTOL-37) to file corrected drawings, whichever is longer. **NO EXTENSION OF THIS TIME PERIOD MAY BE GRANTED UNDER EITHER 37 CFR 1.136 (a) OR (b)**

Failure to correct the above noted inconsistency will result in abandonment of the application.

The file will be held in the Publishing Division to await the correction of the inconsistency.

#### Return Corrected Drawings/Specification to:

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Applicants: Kay et al.  
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Examiner: Dwayne C. Jones  
Confirmation No.: 8753  
Group Art Unit: 1614  
Docket No.: 1040-5  
Cert. of Mailing Dated: June 13, 2003

The U.S. Patent and Trademark Office date stamp will acknowledge receipt of the following:

► Amendment

RCM/jp (1040-0004)  
Hoffmann & Baron, LLP

Applicants: Kay et al.  
Serial No.: 09/650,055  
Filing Date: August 29, 2000  
Examiner: Dwayne C. Jones  
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Group Art Unit: 1614  
Docket No.: 1040-5  
Cert. of Mailing Dated: June 13, 2003

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► Amendment

RCM/jp (1040-0004)  
Hoffmann & Baron, LLP

